

## Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 PA-01 SS-15 NSC-05 L-03 SY-05 INR-07  
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DRAFTED BY ARA:ECA:RELTZ:LK  
APPROVED BY ARA:CWBRAY  
PA:WBLAIR (SUBS)

-----310028Z 038671 /60

O R 310010Z DEC 76  
FM SECSTATE WASHDC  
TO AMEMBASSY BRASILIA IMMEDIATE  
INFO AMCONSUL RIO DE JANEIRO  
AMCONSUL SAO PAULO

C O N F I D E N T I A L STATE 314013

FOR AMBASSADOR FROM BRAY

E.O. 11652:GDS

TAGS: AINF, PFOR, BR

SUBJECT: RELEASE OF USG DOCUMENTS RE BRAZIL

REF: BRASILIA 10512

1. DIFFICULTIES ARISING FROM RELEASE OF USG DOCUMENTS ON  
BRAZIL REPRESENT FIRST SUCH INCIDENT WE HAVE HAD ATTENDANT  
TO FREEDOM OF INFORMATION/CLASSIFICATION REVIEW PROCESS,  
AND WE ARE LEARNING MUCH FROM IT. WE RECOGNIZE, HOWEVER,  
THAT EDUCATIONAL ADVANTAGES ARE UNLIKELY TO BE OF MUCH  
HELP OR COMFORT TO EMBASSY, BRASILIA IN PRESENT SITUATION.

2. TASK OF RUNNING DOWN EXACT PROCEDURES FOLLOWED WITH  
RESPECT TO EACH INDIVIDUAL DOCUMENT INVOLVED IN THIS CASE  
IS PROCEEDING SLOWLY, SINCE DIFFERENCES IN FILING SYSTEMS  
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OF DEPARTMENT'S FOI OFFICE, THE ARCHIVES AND PRESIDENTIAL  
LIBRARIES DO NOT FACILITATE SPEEDY IDENTIFICATION  
AND RETRIEVAL. HOWEVER, INITIAL INDICATIONS ARE THAT SOME  
DOCUMENTS WERE REVIEWED AND DECLASSIFIED IN WHOLE OR IN  
PART BY STATE (ARA/ECA AND ARA); OTHERS WERE RELEASED BY  
LIBRARY WITHOUT REFERENCE TO EXECUTIVE BRANCH AGENCIES

BECAUSE THEY WERE LABELED "GROUP 4" AND SUBJECT TO AUTOMATIC DECLASSIFICATION OR WERE LOU; STILL OTHERS, I.E. SOME OF THOSE WHICH ORIGINATED IN DOD OR CIA, WERE

CLEARED FOR RELEASE IN WHOLE OR PART BY THOSE AGENCIES -- APPARENTLY WITHOUT REFERENCE TO STATE. AS WE GET MORE SPECIFIC INFORMATION WE WILL PASS THIS TO YOU, BUT PRINCIPLE USEFULNESS OF POST MORTEM IS, OF COURSE, TO PERMIT TIGHTENING UP HERE OF PROCEDURES AND CRITERIA BOTH IN STATE AND IN THE COORDINATION PROCESS AMONG AGENCIES AND WITH THE LIBRARIES/ARCHIVES.

3. WITH REGARD TO THE SPECIFIC QUESTION (A) IN PARA 2 REFTEL: DEPARTMENT HAS BEEN UNABLE AS YET TO MAKE CONCLUSIVE IDENTIFICATION OF THE CITED "TUTHILL - BUNDY MEMORANDUM". HOWEVER, CABLE WITH SUBSTANCE CLOSELY RESEMBLING THAT DESCRIBED (RIO'S 14720 DATED 12/31/68) WAS, ACCORDING LBJ LIBRARY FILES, COVERED BY A SAMUEL LEWIS TO ROSTOW MEMORANDUM SUMMARIZING THE TELEGRAM, I.E. LISTING POSSIBLE US REACTIONS TO AI-5. BECAUSE COVER MEMO WAS NOT LABELED AS CLASSIFIED IT WAS RELEASED BY LIBRARY WITHOUT DEPARTMENT REVIEW; CABLE ITSELF, WHICH BORE SECRET CLASSIFICATION, REMAINS IN CLOSED FILE.

4. WITH REGARD TO MORE GENERAL - AND MORE BASIC - QUESTION, WE UNDERSTAND YOUR NEED FOR "POLITICAL GUIDANCE" BUT WE ARE DOUBTFUL WE CAN PROVIDE ANYTHING WHICH WILL EFFECTIVELY ASSUAGE GOB CONCERN. YOU HAVE LEGAL BACKGROUND ON FOI AND MANDATORY CLASSIFICATION REVIEW PROCEDURES AND YOU KNOW THE GENERAL CLIMATE AND CONFIDENTIAL

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THE POLITICAL AND LEGAL PRESSURES FOR MAXIMUM OPENNESS. THAT BEING SAID, IT SEEMS QUITE CLEAR, EVEN WITH THE INCOMPLETE INFORMATION AVAILABLE TO US AT THIS TIME, THAT THERE WERE BOTH PROCEDURAL SHORTCOMINGS AND ERRORS IN HUMAN JUDGMENT IN THIS CASE. WHERE DOCUMENTS WERE REVIEWED IN STATE, CONSCIOUS EFFORTS WERE MADE TO BE ALERT TO SPECIAL SENSITIVITIES, INCLUDING PROBABLE GOB UMBRAGE OVER RELEASE OF INFORMATION IMPARTED IN CONFIDENCE BY ITS OFFICIALS AND THE POSSIBLE DAMAGE TO PRIVATE INDIVIDUALS IF IDENTIFIED AS SOURCES OF CERTAIN TYPES OF INFO OR COMMENTS. ON ITEM-BY-ITEM REEXAMINATION, HOWEVER, WE MAY WELL FIND TOO MUCH SLIPPED THROUGH EVEN WITH THIS CAUTIOUS MIND-SET.

5. YOU MAY ASSURE YOUR GOB CONTACTS THAT WE ARE CONDUCTING A THOROUGH REVIEW OF THE CONTENT OF THE DOCUMENTS PUBLISHED BY JORNAL AND OF THE PRECISE PROCEDURES LEADING TO THE RELEASE OF EACH. WHERE THIS

REVEALS DEFICIENCIES IN CRITERIA USED AND/OR IN COORDINATION BETWEEN AGENCIES OR WITH THE LIBRARY AND ARCHIVES, WE WILL TAKE REMEDIAL STEPS FOR THE FUTURE.

6. YOU SHOULD KNOW, HOWEVER, (AND AT YOUR DISCRETION

INTIMATE TO GOB) THAT JORNAL HARVEST MAY ONLY BE THE BEGINNING: FOI REQUESTS OF DEPARTMENT ARE STEADILY GROWING. WITH RESPECT TO BRAZIL, ACADEMIC RESEARCHER WHO INITIATED RELEASE PROCESS IN PRESENT CASE AND ONE OTHER HAVE UTILIZED CATALOGUES OF LBJ AND JFK PRESIDENTIAL LIBRARIES TO MAKE MANDATORY CLASSIFICATION REVIEW REQUESTS COVERING WHAT APPEARS TO BE VIRTUALLY ALL MATERIAL ON BRAZILIAN INTERNAL DEVELOPMENTS AND US-BRAZIL RELATIONS FROM PERIOD FROM 1962 THROUGH 1966; MUCH OF

THIS HAS ALREADY BEEN REVIEWED, SANITIZED AS DEEMED NECESSARY, AND RELEASED. PUBLICITY ON THIS CASE BOTH CONFIDENTIAL

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IN US AND BRAZIL, CAN BE EXPECTED TO WHET APPETITES OF BOTH ACADEMICS AND JOURNALISTS TO SEE WHAT OTHER BACKGROUND ON INTERESTING TOPICS CAN BE FOUND IN DEPARTMENT AND PRESIDENTIAL LIBRARY COLLECTIONS. EVEN WITH OUR EFFORTS TO TIGHTEN REVIEW PROCESS, PRESENT LEGAL FRAMEWORK WILL PROBABLY REQUIRE RELEASE OF SOME MATERIAL WHICH COULD CAUSE PROBLEMS IN VIEW OF THE PARTICULARLY ACUTE BRAZILIAN SENSITIVITIES YOU HAVE CITED.

7. WE WILLHOWEVER, TRY TO KEEP YOU BETTER INFORMED IF WE SEE POTENTIALLY DIFFICULT ITEMS GOING THROUGH THE SIEVE.  
ROBINSON

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